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Security Council

Sixty-sixth year

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Monday, 31 October 2011, 3.20 p.m.

New York

President:	Mrs. Onwuliri	(Nigeria)
Members:	Bosnia and Herzegovina	Mr. Barbalić
	Brazil	Mrs. Viotti
	China	Mr. Yang Tao
	Colombia	Mr. Osorio
	France	Mr. Briens
	Gabon	Mr. Messone
	Germany	Mr. Wittig
	India	Mr. Kumar
	Lebanon	Mr. Salam
	Portugal	Mr. Cabral
	Russian Federation	Mr. Karev
	South Africa	Mr. Laher
	United Kingdom of Great Britain and Northern Ireland	Mr. Tatham
	United States of America	Mr. DeLaurentis

Agenda

The situation in Somalia

Report of the Secretary-General on the protection of Somali natural resources and waters (S/2011/661)

Report of the Secretary-General pursuant to Security Council resolution 1950 (2010) (S/2011/662)

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The meeting was called to order at 3.20 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in Somalia

Report of the Secretary-General on the protection of Somali natural resources and waters (S/2011/661)

Report of the Secretary-General pursuant to Security Council resolution 1950 (2010) (S/2011/662)

The President: In accordance with rule 39 of the Council's provisional rules of procedure, I invite Mr. Tayé-Brook Zerihoun, Assistant Secretary-General for Political Affairs, to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

I wish to draw Council members' attention to document S/2011/661, which contains the report of the Secretary-General on the protection of Somali natural resource and waters, and to document S/2011/662, which contains the report of the Secretary-General pursuant to Security Council resolution 1950 (2010).

I now give the floor to Mr. Zerihoun.

Mr. Zerihoun: I am pleased to introduce the annual report of the Secretary-General on piracy off the coast of Somalia (S/2011/662), as well as his report on the natural resources and waters of Somalia (S/2011/661).

Let me begin with the report on piracy off the coast of Somalia. The Secretary-General stresses in the report that piracy and armed robbery continue to adversely affect not only regional economies in East Africa but also the global economy. The international community has responded with an unprecedented effort to counter piracy, including through a naval presence off the coast of Somalia that has resulted in a reduction in the incidence of piracy at sea in the region. More and more pirates are being arrested and prosecuted. Information-sharing and coordination have also improved.

The Contact Group on Piracy off the Coast of Somalia continues to play a key role in this regard. A new and promising initiative is the tracking of financial flows and targeting of leaders and masterminds of piracy. The efforts being made to establish a framework to regulate the use of private armed guards on board vessels transiting off the coast of Somalia are noteworthy, and have underscored the importance of and need for close monitoring of the issue to ensure appropriate regulation and accountability.

The international naval presence has allowed the delivery of much-needed humanitarian assistance. Since the international escort system for ships carrying World Food Programme (WFP) food began in November 2007, not a single WFP-chartered vessel has been attacked, although there have been two unsuccessful attempts on vessels carrying supplies for the African Union Mission in Somalia (AMISOM). The sea-based transport routes for humanitarian and peacekeeping assistance are crucial to maintaining a vital lifeline for Somalia. In that regard, the European Union, NATO and Member States have played a commendable role in participating in the protection at sea of World Food Programme shipments and deliveries contracted by the United Nations Support Office for AMISOM.

Despite these unprecedented efforts, attempts to suppress pirate attacks off the Horn of Africa remain insufficient. Somali pirates have expanded their operations well into the Indian Ocean. According to the International Maritime Organization, 316 people and 15 vessels were being held hostage as of early October. The pirates' technical capacities have increased, and they have become more violent. Many young Somalis continue to be willing to take the risk of becoming criminals at sea.

Another cause for concern is reports of links between pirates and Al-Shabaab. The law-enforcement measures commendably taken by some regional authorities in Somalia have had the unintended consequence of pushing pirate dens, with their lucrative business model, further south, including into areas that are under Al-Shabaab's influence. While it is still unclear who is behind the kidnappings in Kenya, the increasing links between Al-Shabaab and pirates indicate that the problem of piracy may be mutating. Somali piracy could also be inspiring attacks elsewhere on the world's shipping lanes, particularly in the Gulf of Guinea.

It is important, as the Secretary-General stresses in his report and has reiterated on several occasions,

that Member States and international actors solve the piracy problem in the context of the overall solution in Somalia. The fight against piracy off the coast of Somalia can only be won through an integrated strategy that tackles deterrence, security, the rule of law and development. Counter-piracy efforts should be an integral element of the Somali peace process. The inclusion of counter-piracy benchmarks in the recently agreed road map to end the transition in Somalia is a positive development. The Special Representative of the Secretary-General for Somalia is playing a key role in helping to integrate these efforts, including those related to counter-piracy.

Key targets in the road map to be achieved during the transition period include the appointment of a single minister to coordinate the Transitional Federal Government's (TFG) counter-piracy efforts; the development of a counter-piracy strategy in common with other regions and administrations; the drafting and adoption of a counter-piracy law; and the proclamation of a Somali exclusive economic zone. That last measure will contribute to addressing potential illegal fishing and dumping of waste. It will also help clarify the legal basis for the protection of Somalia's sovereign rights with respect to natural resources and its jurisdiction over the maritime environment. The declaration of an exclusive economic zone is one of the recommendations in the Secretary-General's report on the natural resources and waters of Somalia, to which I will return a little later.

The number of States undertaking prosecution of those suspected of acts of piracy is increasing, as is the number of prosecutions. The Secretary-General applauds the countries currently shouldering that burden. However, as noted in the Secretary-General's report, a large number of individuals suspected of acts of piracy are still not prosecuted for a variety of legal, practical and political reasons.

Further efforts are needed to ensure that suspected pirates can be prosecuted when sufficient evidence is available. The Trust Fund to Support Initiatives of States Countering Piracy off the Coast of Somalia has proven to be a useful instrument for prosecution-related initiatives. The Secretary-General encourages Member States and the maritime industry to contribute generously to that Trust Fund.

Contributing Member States and multinational organizations may also consider how their efforts could further address the root causes of piracy, including through the development of land-based initiatives to strengthen Somali and regional maritime and law enforcement capacities. This must be linked to the broader efforts to develop Somalia's justice and security sectors. While we should not lose sight of the overall goal, it may also be worth looking at interim objectives. They include developing Somali capacity to deal with piracy on land and in close inshore waters through the establishment of coast guard capacity in the region.

The Somali people, especially the youth, need greater incentives not to succumb to the lure of piracy. Economic rehabilitation and the creation of alternative livelihoods, especially the development and rehabilitation of coastal fisheries, must be at the centre of efforts to fight piracy. But as long as piracy is lucrative, alternative livelihood options will be a hard sell. The payment of ransoms is putting more lives at risk, and the money that flows into the Somali economy through that channel is making the overall goal to find a solution in the country more and more difficult to achieve.

With respect to Somalia's natural resources and waters, the Secretary-General states in his report that the overall evidence of illegal fishing and toxic waste dumping, as well as their alleged links to piracy activities, require further investigation. At the same time, it is important to use every opportunity to draw attention to the need to protect Somalia's natural resources and prevent their illegal and unregulated exploitation.

The road map to end the transition period in Somalia outlines important measures that would address some of those challenges, including the declaration by the Transitional Federal Government of an exclusive economic zone. Somalia is urged to accede to the international legal framework under the purview of the International Maritime Organization. It also needs to adopt the appropriate legal framework to address all aspects of maritime law enforcement and to develop a fishing industry. However, it is equally important that efforts continue in support of the Somali Government with a view to reforming its security sector in order to expand and strengthen its capacity to implement international agreements on environmental issues. It will also be important for Member States to investigate allegations of illegal fishing and dumping, and to prosecute perpetrators when such offences are

committed by persons or entities under their jurisdiction.

The Secretary-General states in his report that the United Nations will do its utmost to assist the Transitional Federal Government and the regional authorities of Puntland, Somaliland and Galmudug, as requested, in order to address those challenges. It is important that the issue of Somalia's natural resources be addressed simultaneously at the national and regional levels. The Kampala Process dialogue forum should be used by Somalis for such collaboration. The report stresses the need for a strategic environmental assessment of Somalia, which would be carried out by the United Nations in partnership with the Government and in collaboration with the relevant organizations.

Finally, the Secretary-General stresses that the fate of the hundreds of kidnapped victims who are still in the hands of pirate criminals, most often in difficult and inhumane conditions, should remain an issue of priority concern. In that regard, he notes that it is encouraging that the effort to secure the release of hostages is broad-based and includes Somali authorities, Governments, industry and the United Nations.

The President: I thank Mr. Zerihoun for his briefing.

There are no more names inscribed on the list of speakers. I now invite Council members to informal consultations to continue our discussion on the subject.

The meeting rose at 3.35 p.m.